

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

FEB 15 2020

McALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Adriel Benavides

PRINCIPAL

United States

Case Number:

YOB: 1994

M-20-447 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about February 14, 2020 in Starr County, in
the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Gerardo Mendez-Lopez, a citizen and national of Guatemala and Ivan Pinzon-Viera, citizen and national of Mexico, along with eight (8) other undocumented aliens, for a total of ten (10), who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Roma, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Border Patrol Agent and that this complaint is based on the following facts:

On February 14, 2020 information was relayed to Rio Grande City Border Patrol Agents that a camera activation had indicated possible illegal activity in Roma, Texas. Shortly thereafter a camera operator advised agents that several subjects, possibly illegal aliens were getting into a grey pickup truck. The camera operator then relayed the vehicle description and direction of travel to responding agents.

SEE ATTACHED

I declare under penalty of perjury that the statements in this complaint are true and correct. Executed on February 15, 2020.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to and attested
telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

/s/ Annjeri Skarboszewski

Signature of Complainant

Annjeri Skarboszewski Border Patrol Agent

Printed Name of Complainant

February 15, 2020
Date

4:02 PM

at McAllen, Texas
City and State

J. Scott Hacker, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-20-447-M

RE: Adriel Benavides

CONTINUATION:

As agents responded, they observed a Texas Department of Public Safety (DPS) Trooper attempting to conduct a vehicle stop on a grey pickup truck for speeding. The vehicle failed to yield to the trooper's emergency equipment and travelled through various streets in Roma, Texas before turning southbound on Ebony Street. The vehicle then rammed a private gate approximately 25 yards from the Rio Grande River and all subjects exited the vehicle in an attempt to abscond. The DPS Trooper that witnessed the subjects exit the vehicle relayed to agents the description of the driver. Border Patrol boat units arrived at the location and observed a subject, later identified as Adriel Benavidez, matching the description provided by the trooper in the Rio Grande River. Boat agents apprehended Benavides and the trooper positively identified Benavides as the driver of the vehicle. A search was conducted in the vicinity of the pickup truck and ten (10) total subjects were found to be illegally present in the United States.

The DPS trooper issued a citation to Benavides for Evading Arrest or Detention.

All subjects were then transported to Rio Grande City Border Patrol Station for processing.

Principal Statement:

Adriel Benavides, a United States citizen, was advised of his Miranda rights and declined to give a statement without the presence of an attorney.

Material Witness Statement:

Gerardo Mendez-Lopez and Ivan Pinzon-Vera were advised of their Miranda rights and were willing to provide sworn statements.

Gerardo Mendez-Lopez, a citizen of Guatemala, stated that he made his smuggling arrangements in Guatemala and was to pay 80,000 Quetzals to be smuggled to Houston, Texas. He stated after crossing the Rio Grande River in a raft, with about twelve other people, they were told to walk until they saw a grey in color vehicle. They arrived at a road and saw a grey 4 door pickup truck. They entered the vehicle through the back passenger door and the driver told them to crawl to the bed of the truck. He stated that he could hear police sirens shortly after they began driving. He was afraid because none of them were wearing seatbelts. Mendez further stated that after the vehicle came to a stop all the subjects including the driver got out of the vehicle and ran. Mendez described the driver of the vehicle as a heavy set male.

Ivan Pinzon-Vera, a citizen of Mexico, stated that he made his smuggling arrangements in Mexico and was to pay \$3000 to be smuggled to Houston, Texas. Pinzon stated he crossed the Rio Grande River with about 11 other subjects. He stated they walked for about 10-15 minutes until they found a grey vehicle that was waiting for them. He stated that as they were getting into the rear of the vehicle the driver yelled at them to hurry up. Pinzon then stated that the driver left the area at a high rate of speed and he could hear the police sirens. Pinzon stated he was scared because of the way the driver was driving. Once the vehicle came to a sudden stop Pinzon stated he saw the driver get out of the vehicle and everyone started to run into the brush. Pinzon stated that the driver was a short, heavy set male with a light complexion and short hair.